

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 6875 of 2016

- Mohammad Aazam S/o Mohammad Usmaan, Aged About 22 Years R/o Valmiki Nagar, Police Station Kabir Nagar Raipur District Raipur Chhattisgarh [Mobile No. 9302521021]

---- **Petitioner**

Versus

- State Of Chhattisgarh Through Police Station Amanaka, Raipur, District Raipur Chhattisgarh

---- **Respondent**

For Applicants : Mr. Suresh Tandon, Advocate

For Respondent/State : Mr. Anant Bajpai, Panel Lawyer

Hon'ble Shri Justice Goutam Bhaduri

Order on Board

07-11-2016

1. This is the first bail application filed under Section 439 of the Cr.P.C., for grant of regular bail to the applicant who has been arrested on 26-8-2016 in connection with Crime No. 192 of 2016 registered at Police Station Amanaka, Raipur, District Raipur (CG) for the offence punishable under Sections 34 (2) of the Excise Act.
2. Case of the prosecution, in brief, is that on receipt of secret information a raid was conducted by the Police, upon which 7.200 bulk liters of illicit liquor have been recovered from the joint possession of the applicant and other co-accused.
3. Learned counsel appearing for the applicant would submit that the applicant has been falsely implicated in this case and no seizure was made in person from the applicant. He would further submit that charge-sheet has been filed in this case, the applicant is in jail

since 26-8-2016 and no further investigation is necessary, therefore he may be enlarged on bail.

4. Per contra, learned State counsel opposes the prayer for grant of bail application and would submit that apart from this case, 16 cases are registered against the applicant and his name has been recommended to include in the list of Goondas.
5. I have heard learned counsel for the parties, perused the case diary and documents which shows that apart from this case, 16 cases are to the credit of the applicant under different Sections of IPC, Arms Act, Cr.P.C including Excise Act and his name has been recommended to include in the list of Goondas.
6. Taking into consideration all the facts and circumstances of the case and further considering the past antecedents of the applicants and back-ground of the case, I am not inclined to release the applicant on bail.
7. Accordingly, the application filed under Section 439 of the Cr.P.C., is liable to be and is hereby dismissed.

Sd/-
(Goutam Bhaduri)
Judge

Raju